

1980—Subsec. (c). Pub. L. 96-258 substituted “Trial” for “Venue” and “is committed” for “was committed”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-554 effective May 1, 1985, except as otherwise provided, see section 226(d) of Pub. L. 98-554, set out as an Effective Date note under section 10530 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-258 effective Oct. 17, 1978, see section 3(d) of Pub. L. 96-258, set out as a note under section 10525 of this title.

§ 11915. Punishment of corporation for violations committed by certain individuals

An act or omission that would be a violation of this subtitle if committed by a director, officer, receiver, trustee, lessee, agent, or employee of a common carrier providing transportation or service subject to the jurisdiction of the Interstate Commerce Commission under chapter 105 of this title that is a corporation is also a violation of this subtitle by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed by that carrier are considered to be the actions and omissions of that carrier as well as that individual.

(Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1464.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
11915	49:41(1) (1st sentence), (2) (related to corporate violations).	Feb. 19, 1903, ch. 708, §1 (1st par. 1st sentence) (2d par. related to corporate violations), 32 Stat. 847; restated June 29, 1906, ch. 3591, §2, 34 Stat. 587.

The words “that would be a violation of this subtitle” are substituted for “would constitute a misdemeanor under said Acts or under sections 41, 42, or 43 of this title” for consistency. The words “providing transportation or service subject to the jurisdiction of the Interstate Commerce Commission under chapter 105 of this title” are substituted for “subject to the Act to regulate commerce and the Acts amendatory thereof” for consistency. The word “is” is substituted for “shall also be held to be” for clarity. The words “upon conviction thereof” are omitted as surplus. The 2d sentence is substituted for “it shall be subject to like penalties as are prescribed in said Acts or by sections 41, 42, or 43 of this title” for consistency in view of the restatement. The words “except as such penalties are herein changed” are omitted as unnecessary in view of the restatement. The words “in construing and enforcing provisions of this section” are omitted as surplus. The word “omissions” is substituted for “omission, or failure” as being more inclusive.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 11126 of this title.

§ 11916. Conclusiveness of rates in certain prosecutions

When a carrier files with the Interstate Commerce Commission or publishes a particular rate under chapter 107 of this title or participates in one of those rates, the published or filed rate is conclusive proof against that carrier, its officers, and agents that it is the legal rate for that

transportation or service in a proceeding begun under section 11902 or 11903 of this title. A departure, or offer to depart, from that rate is a violation of those sections.

(Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1464.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
11916	49:41(2) (last sentence).	Feb. 19, 1903, ch. 708, §1 (2d par. last sentence), 32 Stat. 847; restated June 29, 1906, ch. 3591, §2, 34 Stat. 587.

The section restates the source provision for clarity. The word “is” is substituted for “shall be . . . deemed to be” for clarity.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 11126 of this title.

§ 11917. Weight-bumping in household goods transportation

(a) For the purposes of this section, “weight-bumping” means the knowing and willful making or securing of a fraudulent weight on a shipment of household goods which is subject to the jurisdiction of the Commission under subchapter II of chapter 105 of this title.

(b) Any individual who has been found to have committed weight-bumping shall, for each offense, be fined at least \$1,000 but not more than \$10,000, imprisoned for not more than 2 years, or both.

(Added Pub. L. 96-454, §9(a), Oct. 15, 1980, 94 Stat. 2021.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 10934 of this title.

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AMENDMENTS

1994—Pub. L. 103-440, title I, §103(b)(1), Nov. 2, 1994, 108 Stat. 4618, added part D and item for chapter 261,